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P.A., Primecare Medical Group, P.A.,
and Bhudev Sharma, M.D.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ALLEXIS LICCIARDI,

Plaintiff,

-vs.-

JFK MEDICAL ASSOCIATES P.A. et al.,

Defendants.

Civil Action No. 2:20-cv-00957-CCC-MF

**DEFENDANTS JFK MEDICAL
ASSOCIATES, P.A., PRIMECARE
MEDICAL GROUP, P.A. AND BHUDEV
SHARMA'S ANSWER AND
AFFIRMATIVE DEFENSES TO
PLAINTIFF'S COMPLAINT**

Defendants JFK Medical Associates, P.A., Primecare Medical Group, P.A., and Bhudev Sharma, M.D. (hereinafter “Defendants”), by way of their Answer to the Complaint of Plaintiff Alexis Licciardi (“Plaintiff”) and Demand for Jury Trial state as follows:

PRELIMINARY STATEMENT OF THE CASE

1. Defendants deny the allegations set forth in Paragraph 1 of the Complaint.
2. Defendants deny the allegations set forth in Paragraph 2 of the Complaint.
3. To the extent the allegations set forth in Paragraph 3 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief

as to the truth or accuracy of the allegations set forth in Paragraph 3 of the Complaint, and therefore, deny these allegations.

4. Defendants deny the allegations set forth in Paragraph 4 of the Complaint.

5. Defendants deny the allegations set forth in Paragraph 5 of the Complaint.

PARTIES

6. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 6 of the Complaint, and therefore, deny these allegations.

7. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 7 of the Complaint, and therefore, deny these allegations.

8. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 8 of the Complaint, and therefore, deny these allegations.

9. Defendants admit the allegations set forth in Paragraph 9 of the Complaint.

10. Defendants admit the allegations set forth in Paragraph 10 of the Complaint.

11. The allegations set forth Paragraph 11 of the Complaint state conclusions of law to which no responsive pleading is required. To the extent a further response is required, Defendants deny the allegations set forth in Paragraph 11 of the Complaint.

12. Defendants admit the allegations set forth in Paragraph 12 of the Complaint.

13. Defendants admit the allegations set forth in Paragraph 13 of the Complaint.

14. The allegations set forth Paragraph 14 of the Complaint state conclusions of law to which no responsive pleading is required. To the extent a further response is required, Defendants deny the allegations set forth in Paragraph 14 of the Complaint.

15. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 15 of the Complaint, and therefore, deny these allegations.

16. Defendants admit the allegations set forth in Paragraph 16 of the Complaint.

17. The allegations set forth Paragraph 17 of the Complaint state conclusions of law to which no responsive pleading is required. To the extent a further response is required, Defendants deny the allegations set forth in Paragraph 17 of the Complaint.

18. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 18 of the Complaint, and therefore, deny these allegations.

19. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 19 of the Complaint, and therefore, deny these allegations.

20. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 20 of the Complaint, and therefore, deny these allegations.

21. Defendants admit the allegations set forth in Paragraph 21 of the Complaint.

22. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 22 of the Complaint, and therefore, deny these allegations.

JURISDICTION AND VENUE

23. The allegations set forth in Paragraph 23 of the Complaint state conclusions of law to which no responsive pleading is required. To the extent a further response is required, Defendants deny the allegations set forth in Paragraph 23 of the Complaint.

24. The allegations set forth in Paragraph 24 of the Complaint state conclusions of law to which no responsive pleading is required. To the extent a further response is required, Defendants deny the allegations set forth in Paragraph 24 of the Complaint.

FACTS RELEVANT TO ALL CLAIMS

25. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 25 of the Complaint, and therefore, deny these allegations.

26. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 26 of the Complaint, and therefore, deny these allegations.

27. To the extent the allegations set forth in Paragraph 27 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 27 of the Complaint, and therefore, deny these allegations.

28. Defendants admit that Plaintiff was offered a job as a full-time receptionist. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the remaining allegations set forth in Paragraph 28 of the Complaint, and therefore, deny these remaining allegations.

29. Defendants admit that Dr. Blum was Plaintiff's supervisor and principal employer. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the remaining allegations set forth in Paragraph 29 of the Complaint, and therefore, deny these remaining allegations.

FACTS RELEVANT TO PLAINTIFF'S RETENTION AND JOB DUTIES

30. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 30 of the Complaint, and therefore, deny these allegations.

31. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 31 of the Complaint, and therefore, deny these allegations.

32. To the extent the allegations set forth in Paragraph 32 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 32 of the Complaint, and therefore, deny these allegations.

33. Defendants admit the allegations set forth in Paragraph 33 of the Complaint.

34. Defendants admit the allegations set forth in Paragraph 34 of the Complaint.

35. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 35 of the Complaint, and therefore, deny these allegations.

36. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 36 of the Complaint, and therefore, deny these allegations.

37. Defendants admit the allegations set forth in Paragraph 37 of the Complaint.

38. To the extent the allegations set forth in Paragraph 38 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 38 of the Complaint, and therefore, deny these allegations.

FACTS RELEVANT TO THERMIVA CARE OF NEW JERSEY

39. To the extent the allegations set forth in Paragraph 39 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 39 of the Complaint, and therefore, deny these allegations.

40. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 40 of the Complaint, and therefore, deny these allegations.

41. To the extent the allegations set forth in Paragraph 41 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 41 of the Complaint, and therefore, deny these allegations.

42. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 42 of the Complaint, and therefore, deny these allegations.

43. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 43 of the Complaint, and therefore, deny these allegations.

44. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 44 of the Complaint, and therefore, deny these allegations.

45. To the extent the allegations set forth in Paragraph 45 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 45 of the Complaint, and therefore, deny these allegations.

PLAINTIFF IS MISCLASSIFIED AS AN EXEMPT EMPLOYEE TO AVOID PAYING

OVERTIME PAY

46. To the extent the allegations set forth in Paragraph 46 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 46 of the Complaint, and therefore, deny these allegations.

47. To the extent the allegations set forth in Paragraph 47 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are

directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 47 of the Complaint, and therefore, deny these allegations.

48. Defendants deny the allegations set forth in Paragraph 48 of the Complaint.

49. Defendants deny the allegations set forth in Paragraph 49 of the Complaint.

50. Defendants deny the allegations set forth in Paragraph 50 of the Complaint.

51. To the extent the allegations set forth in Paragraph 51 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 51 of the Complaint, and therefore, deny these allegations.

52. To the extent the allegations set forth in Paragraph 52 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 52 of the Complaint, and therefore, deny these allegations.

53. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 53 of the Complaint, and therefore, deny these allegations.

54. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 54 of the Complaint, and therefore, deny these allegations.

55. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 55 of the Complaint, and therefore, deny these allegations.

56. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 56 of the Complaint, and therefore, deny these allegations.

57. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 57 of the Complaint, and therefore, deny these allegations.

58. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 58 of the Complaint, and therefore, deny these allegations.

59. To the extent the allegations set forth in Paragraph 59 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 59 of the Complaint, and therefore, deny these allegations.

60. To the extent the allegations set forth in Paragraph 60 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 60 of the Complaint, and therefore, deny these allegations.

**PLAINTIFF SUFFERED HARASSMENT AND ASSAULT BY HER DIRECT
SUPERVISOR**

61. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 61 of the Complaint, and therefore, deny these allegations.

62. Defendants deny the allegations contained in Paragraph 62 of the Complaint.

63. To the extent the allegations set forth in Paragraph 63 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 63 of the Complaint, and therefore, deny these allegations.

64. To the extent the allegations set forth in Paragraph 64 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 64 of the Complaint, and therefore, deny these allegations.

65. To the extent the allegations set forth in Paragraph 65 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 65 of the Complaint, and therefore, deny these allegations.

66. To the extent the allegations set forth in Paragraph 66 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are

directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 66 of the Complaint, and therefore, deny these allegations.

67. To the extent the allegations set forth in Paragraph 67 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 67 of the Complaint, and therefore, deny these allegations.

68. To the extent the allegations set forth in Paragraph 68 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 68 of the Complaint, and therefore, deny these allegations.

69. To the extent the allegations set forth in Paragraph 69 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 69 of the Complaint, and therefore, deny these allegations.

70. To the extent the allegations set forth in Paragraph 70 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 70 of the Complaint, and therefore, deny these allegations.

71. To the extent the allegations set forth in Paragraph 71 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 71 of the Complaint, and therefore, deny these allegations.

72. To the extent the allegations set forth in Paragraph 72 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 72 of the Complaint, and therefore, deny these allegations.

73. To the extent the allegations set forth in Paragraph 73 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 73 of the Complaint, and therefore, deny these allegations.

74. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 74 of the Complaint, and therefore, deny these allegations.

75. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 75 of the Complaint, and therefore, deny these allegations.

76. To the extent the allegations set forth in Paragraph 76 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are

directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 76 of the Complaint, and therefore, deny these allegations.

77. To the extent the allegations set forth in Paragraph 77 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 77 of the Complaint, and therefore, deny these allegations.

78. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 78 of the Complaint, and therefore, deny these allegations.

79. To the extent the allegations set forth in Paragraph 79 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 79 of the Complaint, and therefore, deny these allegations.

80. To the extent the allegations set forth in Paragraph 80 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 80 of the Complaint, and therefore, deny these allegations.

81. To the extent the allegations set forth in Paragraph 81 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are

directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 81 of the Complaint, and therefore, deny these allegations.

82. To the extent the allegations set forth in Paragraph 82 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 82 of the Complaint, and therefore, deny these allegations.

83. To the extent the allegations set forth in Paragraph 83 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 83 of the Complaint, and therefore, deny these allegations.

84. To the extent the allegations set forth in Paragraph 84 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 84 of the Complaint, and therefore, deny these allegations.

85. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 85 of the Complaint, and therefore, deny these allegations.

86. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 86 of the Complaint, and therefore, deny these allegations.

87. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 87 of the Complaint, and therefore, deny these allegations.

88. To the extent the allegations set forth in Paragraph 88 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 88 of the Complaint, and therefore, deny these allegations.

89. To the extent the allegations set forth in Paragraph 89 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 89 of the Complaint, and therefore, deny these allegations.

90. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 90 of the Complaint, and therefore, deny these allegations.

91. To the extent the allegations set forth in Paragraph 91 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to

form a belief as to the truth or accuracy of the allegations set forth in Paragraph 91 of the Complaint, and therefore, deny these allegations.

92. Defendants deny the allegations set forth in Paragraph 92 of the Complaint.

93. To the extent the allegations set forth in Paragraph 93 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 93 of the Complaint, and therefore, deny these allegations.

94. Defendants deny the allegations set forth in Paragraph 94 of the Complaint.

95. Except to deny that Lisa was an office manager, Defendants admit the allegations contained in Paragraph 95 of the Complaint.

96. To the extent the allegations set forth in Paragraph 96 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 96 of the Complaint, and therefore, deny these allegations.

97. To the extent the allegations set forth in Paragraph 97 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 97 of the Complaint, and therefore, deny these allegations.

98. To the extent the allegations set forth in Paragraph 98 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are

directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 98 of the Complaint, and therefore, deny these allegations.

99. Defendants deny the allegations set forth in Paragraph 99 of the Complaint.

100. Defendants deny the allegations set forth in Paragraph 100 of the Complaint.

101. Defendants deny the allegations set forth in Paragraph 101 of the Complaint.

102. Defendants deny the allegations set forth in Paragraph 102 of the Complaint.

103. Defendants deny the allegations set forth in Paragraph 103 of the Complaint.

104. Defendants deny the allegations set forth in Paragraph 104 of the Complaint.

105. Defendants admit the allegations set forth in Paragraph 105 of the Complaint.

106. To the extent the allegations set forth in Paragraph 106 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 106 of the Complaint, and therefore, deny these allegations.

107. To the extent the allegations set forth in Paragraph 107 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 107 of the Complaint, and therefore, deny these allegations.

108. To the extent the allegations set forth in Paragraph 108 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to

form a belief as to the truth or accuracy of the allegations set forth in Paragraph 108 of the Complaint, and therefore, deny these allegations.

109. To the extent the allegations set forth in Paragraph 109 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 109 of the Complaint, and therefore, deny these allegations.

110. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 110 of the Complaint, and therefore, deny these allegations.

111. To the extent the allegations set forth in Paragraph 111 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 111 of the Complaint, and therefore, deny these allegations.

112. To the extent the allegations set forth in Paragraph 112 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 112 of the Complaint, and therefore, deny these allegations.

113. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 113 of the Complaint, and therefore, deny these allegations.

114. To the extent the allegations set forth in Paragraph 114 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 114 of the Complaint, and therefore, deny these allegations.

115. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 115 of the Complaint, and therefore, deny these allegations.

116. To the extent the allegations set forth in Paragraph 116 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 116 of the Complaint, and therefore, deny these allegations.

117. To the extent the allegations set forth in Paragraph 117 of the Complaint are directed to these Defendants, Defendants deny these allegations. To the extent the allegations are directed toward other parties, Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 117 of the Complaint, and therefore, deny these allegations.

118. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 118 of the Complaint, and therefore, deny these allegations.

119. Defendants are without knowledge or information sufficient to form a belief as to the truth or accuracy of the allegations set forth in Paragraph 119 of the Complaint, and therefore, deny these allegations.

120. Defendants deny the allegations set forth in Paragraph 120 of the Complaint.

FIRST CAUSE OF ACTION

121. Defendants incorporate by reference paragraphs one through one hundred twenty, above, as if set forth fully and at length herein.

122. Defendants deny the allegations set forth in Paragraph 122 of the Complaint.

123. Defendants deny the allegations set forth in Paragraph 123 of the Complaint.

124. Defendants deny the allegations set forth in Paragraph 124 of the Complaint.

125. Defendants deny the allegations set forth in Paragraph 125 of the Complaint.

126. Defendants deny the allegations set forth in Paragraph 126 of the Complaint.

SECOND CAUSE OF ACTION

127. Defendants incorporate by reference paragraphs one through one hundred twenty-six, above, as if set forth fully and at length herein.

128. The allegations set forth Paragraph 128 of the Complaint state conclusions of law to which no responsive pleading is required. To the extent a further response is required, Defendants deny the allegations set forth in Paragraph 128 of the Complaint.

129. Defendants deny the allegations set forth in Paragraph 129 of the Complaint.

130. Defendants deny the allegations set forth in Paragraph 130 of the Complaint.

THIRD CAUSE OF ACTION

131. Defendants incorporate by reference paragraphs one through one hundred thirty, above, as if set forth fully and at length herein.

132. Defendants deny the allegations set forth in Paragraph 132 of the Complaint.
133. Defendants deny the allegations set forth in Paragraph 133 of the Complaint.
134. Defendants deny the allegations set forth in Paragraph 134 of the Complaint.
135. Defendants deny the allegations set forth in Paragraph 135 of the Complaint.
136. Defendants deny the allegations set forth in Paragraph 136 of the Complaint.
137. Defendants deny the allegations set forth in Paragraph 137 of the Complaint.

FOURTH CAUSE OF ACTION

138. Defendants incorporate by reference paragraphs one through one hundred thirty-seven, above, as if set forth fully and at length herein.
139. Defendants deny the allegations set forth in Paragraph 139 of the Complaint.
140. Defendants deny the allegations set forth in Paragraph 140 of the Complaint.
141. Defendants deny the allegations set forth in Paragraph 141 of the Complaint.
142. Defendants deny the allegations set forth in Paragraph 142 of the Complaint.
143. Defendants deny the allegations set forth in Paragraph 143 of the Complaint.

FIFTH CAUSE OF ACTION

144. Defendants incorporate by reference paragraphs one through one hundred forty-three, above, as if set forth fully and at length herein.
145. Defendants deny the allegations set forth in Paragraph 145 of the Complaint.
146. Defendants deny the allegations set forth in Paragraph 146 of the Complaint.
147. Defendants deny the allegations set forth in Paragraph 147 of the Complaint.
148. Defendants deny the allegations set forth in Paragraph 148 of the Complaint.
149. Defendants deny the allegations set forth in Paragraph 149 of the Complaint.

SIXTH CAUSE OF ACTION

150. Defendants incorporate by reference paragraphs one through one hundred forty-nine, above, as if set forth fully and at length herein.

151. The allegations set forth Paragraph 151 of the Complaint state conclusions of law to which no responsive pleading is required. To the extent a further response is required, Defendants deny the allegations set forth in Paragraph 151 of the Complaint.

152. The allegations set forth Paragraph 152 of the Complaint state conclusions of law to which no responsive pleading is required. To the extent a further response is required, Defendants deny the allegations set forth in Paragraph 152 of the Complaint.

153. Defendants deny the allegations set forth in Paragraph 153 of the Complaint.

154. Defendants deny the allegations set forth in Paragraph 154 of the Complaint.

SEVENTH CAUSE OF ACTION

155. Defendants incorporate by reference paragraphs one through one hundred fifty-four, above, as if set forth fully and at length herein.

156. Defendants deny the allegations set forth in Paragraph 156 of the Complaint.

157. Defendants deny the allegations set forth in Paragraph 157 of the Complaint.

158. Defendants deny the allegations set forth in Paragraph 158 of the Complaint.

159. Defendants deny the allegations set forth in Paragraph 159 of the Complaint.

160. Defendants deny the allegations set forth in Paragraph 160 of the Complaint.

161. Defendants deny the allegations set forth in Paragraph 161 of the Complaint.

PRAYER FOR RELIEF

Defendants incorporate herein by reference their responses to the foregoing Paragraphs as if set forth fully herein.

WHEREFORE, Defendants demand judgment dismissing the Complaint with prejudice and awarding its reasonable attorneys' fees, costs of suit, and such further relief as this Court may deem just and equitable.

AFFIRMATIVE DEFENSES

General Denial

Defendants deny each and every allegation and claim set forth in Plaintiff's Complaint that otherwise is not specifically admitted in this Answer, including, but not limited to, each and every allegation and claim for relief as set forth in Plaintiff's captions, titles, allegations, and prayers for relief.

Affirmative and Other Defenses

In addition to the defenses and denials set forth above, Defendants assert the following affirmative and other defenses. Defendants reserve the right to raise any and all counterclaims and additional defenses, including affirmative defenses that may become apparent at any time in the course of this litigation.

FIRST DEFENSE

The Complaint fails, in whole or in part, to state a claim for which relief can be granted.

SECOND DEFENSE

Defendants properly paid all employees, including Plaintiff, all wages to which they were entitled under the FLSA and New Jersey State Wage and Hour Law, N.J.S.A. 34:11-56a *et seq.*

THIRD DEFENSE

Plaintiff failed to make a reasonable effort to minimize or mitigate her alleged damages. Therefore, any recovery, entitlement to which is expressly denied, should be barred or reduced.

FOURTH DEFENSE

To the extent Plaintiff establishes any failure by Defendants to pay overtime compensation, any alleged act or omission by Defendants giving rise to this action was taken in good faith and Defendants had reasonable grounds to believe that their alleged act or omission, if any, was not a violation of the FLSA or NJWHL, thereby precluding an award of liquidated damages.

FIFTH DEFENSE

To the extent Plaintiff is attempting to recover overtime compensation for hours that she did not report, her claims are barred by the doctrine of unclean hands and/or estoppel.

SIXTH DEFENSE

The Complaint should be dismissed because Defendants' alleged actions or omissions were taken in good faith and in conformity with, and in reliance on, a written regulation, order, ruling, approval, and/or interpretation of the Department of Labor's Wage and Hour Division, and/or learned professionals.

SEVENTH DEFENSE

The Complaint, and each and every purported cause of action set forth therein, is too vague and uncertain to provide the basis for any relief.

EIGHTH DEFENSE

Plaintiff's claims are barred inasmuch as she unreasonably failed to follow Defendants' timekeeping policy and/or utilize its internal complaint procedure and/or take other reasonable steps to avoid the alleged harm about which she now complains.

NINTH DEFENSE

The claims in the Complaint are barred, in whole or in part, because Defendants' alleged actions and/or omissions were neither willful nor taken in bad faith.

TENTH DEFENSE

To the extent the Complaint seeks damages in excess of those allowed by applicable laws, their entitlement to which is expressly denied, such damages are barred.

ELEVENTH DEFENSE

Defendants acted in good faith reliance upon the reasonable interpretation of applicable law and the individual Defendants are not liable, as alleged, in the Complaint.

TWELFTH DEFENSE

Plaintiff did not accurately report the hours for which they seek allegedly unpaid wages, overtime, and penalties. Therefore, Plaintiff is barred from seeking to recover any such amounts from Defendants.

THIRTEENTH DEFENSE

Any alleged overtime hours worked by Plaintiff were worked in her capacity with Thermiva Care as admitted in Paragraph 47 and 51 rather than Defendants. Thermiva Care is owned solely by Dr. Blum. Defendants properly compensated Plaintiff for her hours worked for Defendants.

FOURTEENTH DEFENSE

Any alleged physical assault of Plaintiff by Dr. Blum was not committed within the scope of Dr. Blum's employment with Defendants. Defendants therefore cannot be held liable for Dr. Blum's actions. *See Whitaker v. Mercer County*, 65 F. Supp. 230, 244 (D.N.J. 1999); *Cosgrove v. Lawrence*, 214 N.J. Super. 670, 678-80 (L. Div. 1986).

FIFTEENTH DEFENSE

Plaintiff's claims may be barred by the applicable statutes of limitations and the Entire Controversy Doctrine.

SIXTEENTH DEFENSE

Plaintiff is estopped by her conduct from recovering any relief pursuant to the Complaint, or any purported cause of action alleged therein.

SEVENTEENTH DEFENSE

Plaintiff may be guilty of undue delay in filing and prosecuting this suit, and accordingly, this action is barred by the doctrine of laches.

EIGHTEENTH DEFENSE

The Complaint and any purported cause of action alleged therein are barred by Plaintiff's failure to exhaust administrative and internal remedies available under state and federal laws and Defendants' internal policies and procedures.

NINETEENTH DEFENSE

Plaintiff has no standing to bring some or all of the claims, which are therefore barred.

TWENTIETH AFFIRMATIVE DEFENSE

This Court may lack jurisdiction in whole or in part over the subject matter of this lawsuit.

TWENTY-FIRST AFFIRMATIVE DEFENSE

The Complaint is devoid of any factual allegations that would legally support a violation of New Jersey's Law Against Discrimination as to Defendants.

TWENTY SECOND AFFIRMATIVE DEFENSE

Defendants deny that any of their actions were willful, wanton, egregious, malicious or reckless or would otherwise form a basis for the imposition of punitive damages.

TWENTY-THIRD AFFIRMATIVE DEFENSE

Plaintiff's claims are barred, reduced and/or limited pursuant to applicable statutory and common law regarding limitations of awards, caps on recovery, and set offs.

TWENTY FOURTH AFFIRMATIVE DEFENSE

Any claims made herein for punitive damages are barred because they are in contravention of due process, equal protection and other rights under the United States Constitution and the Constitution of the State of New Jersey.

TWENTY-FIFTH AFFIRMATIVE DEFENSE

Any claims made herein for punitive damages are limited and subject to the provisions set forth in N.J.S.A. 2A:15-5-9, et seq.

TWENTY-SIXTH AFFIRMATIVE DEFENSE

There is no factual or legal basis for the award of attorneys' fees.

TWENTY-SEVENTH AFFIRMATIVE DEFENSE

Defendants did not create a hostile work environment.

TWENTY-EIGHTH AFFIRMATIVE DEFENSE

Plaintiff did not follow Defendants' chain of command procedure with respect to reporting her workplace complaints.

TWENTY-NINTH AFFIRMATIVE DEFENSE

Defendants exercised reasonable care to prevent and promptly correct any alleged sexually harassing behavior.

THIRTIETH AFFIRMATIVE DEFENSE

Some or all of the acts or omissions alleged in the Complaint would have been committed by individuals who had acted outside the scope of their employment and notwithstanding Defendants' good-faith efforts to comply with its obligations under the law.

THIRTY-FIRST AFFIRMATIVE DEFENSE

Defendants reserve the right to offer additional defenses which cannot now be articulated due to Plaintiff's failure to particularize their claims or to Defendants' lack of knowledge of the circumstances surrounding Plaintiff's claims. Upon further particularization of the claims by Plaintiff or upon discovery of further information Defendants will amend such answer.

JURY DEMAND

Pursuant to F. R. Civ. P. 38(b), Defendants hereby demand a trial by jury.

Respectfully submitted,

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LLP**

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